

Deficiency Payment Under 37 C.F.R. 1.28(c)
Application Serial No.: 09/747,656
Attorney Docket No.: 031792-0311452

PATENT MAINTENANCE
Customer No.: 00909 DIVISION
IFN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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IN RE PATENT
APPLICATION OF: Eugene J. ROLLINS, et al.
SERIAL NO.: 09/747,656
ATTORNEY
DOCKET NO.: 031792-0311452
FILING DATE: December 22, 2000
ART UNIT : 3625
EXAMINER: Robert M. Pond
FOR: PROVIDING NAVIGATION OBJECTS FOR COMMUNICATIONS OVER A
NETWORK

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FEB 16 2005
OFFICE OF PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

02/14/2005 DALLEN 00000025 09747656
01 FC:1461 335.00 DA

OPE/JCWS
MARCH 24 2005
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Dear Sir:

This paper is being submitted to address a good faith error in payment of small entity fees.

When this application was filed, a large entity filing fee was paid under 37 C.F.R. §1.16(a) and no statement of entitlement to small entity status was submitted under 37 C.F.R. §1.27(c)(1). After filing, a small entity fee was erroneously paid (as detailed in Appendix A) with a good faith belief that this application was entitled to small entity status.

Pursuant to 37 C.F.R. §1.28(c), Applicants request that the Commissioner excuse the good faith error in payment of small entity fees and accept the attached deficiency payment. Payment of the deficient fees in the amount of \$335.00 is enclosed. Pursuant to 37 C.F.R. §1.28(c)(2)(ii), an itemization of the deficiency payment is also included herein in Appendix A.

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It is not believed that fees beyond those provided for in documents accompanying this paper are required. However, if additional fees are necessary for the payment of deficiency fees or for other reasons, the Director is hereby authorized to be charged to our deposit account No.: 033975 (*Ref. No. 031792-0311452*).

Date: February 8, 2005

Respectfully submitted,

By:


Bradford C. Blaise
Registration No. 47,429

Customer No. 00909

PILLSBURY WINTHROP LLP
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McLean, Virginia 22102
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APPENDIX A

Itemization of Deficiency Payments

| DEFICIENT PAYMENT 37 C.F.R. 1.28(c)(2)(ii)(A) | TYPE OF FEE ERRONEOUSLY PAID AS SMALL ENTITY 37 C.F.R. 1.28(c)(2)(ii)(A) | CURRENT FEE FOR NON- SMALL ENTITY 37 C.F.R. 1.28(c)(2)(ii)(A) | SMALL ENTITY FEE ACTUALLY PAID 37 C.F.R. 1.28(c)(2)(ii)(B) | DATE SMALL ENTITY FEE PAID 37 C.F.R. 1.28(c)(2)(ii)(B) | DEFICIENCY OWED 37 C.F.R. 1.28(c)(2)(ii)(C) |
|--|---|--|---|---|--|
| DEFICIENT PAYMENT | Notice of Appeal Fee under 37 CFR §1.17(b) | \$500.00 | \$165.00 | Notice of Appeal submitted September 8, 2004 | \$500.00 - \$165.00 = \$335.00 |
| TOTAL DEFICIENCY PAYMENT OWED 37 C.F.R. 1.28(c)(2)(ii)(D) | \$500.00 - \$165.00 = <u>\$335.00</u> total Deficiency Owed | | | | |



PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2005

Applicant claims small entity status. See 37 CFR 1.27

| | |
|-------------------------|---------|
| TOTAL AMOUNT OF PAYMENT | (\$ 335 |
|-------------------------|---------|

| Complete if Known | |
|----------------------|-------------------|
| Application Number | 09/747,656 |
| Filing Date | December 22, 2000 |
| First Named Inventor | EUGENE J. ROLLINS |
| Examiner Name | Robert M. Pond |
| Art Unit | 3625 |
| Attorney Docket No. | 031792-0311452 |

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METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 033975 Deposit Account Name: PILLSBURY WINTHROP LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fees(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fee Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|---------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 150 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity

Fee (\$) Fee (\$)

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

| Total Claims | Extra Claims | X | Fee (\$) | = | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---|--------------|---|----------|---|---------------|---------------------------|----------|---------------|
| - 20 or HP = | | X | | = | | | | |
| HP = highest number of total claims paid for, if greater than 20 | | | | | | | | |
| Indep. Claims | Extra Claims | X | Fee (\$) | = | Fee Paid (\$) | | | |
| - 3 or HP = | | X | | = | | | | |
| HP = highest number of independent claims paid for, if greater than 3 | | | | | | | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity)
for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | /50= | (round up to a whole number) | x 250.00 | = |

4. OTHER FEE(S)

Non-English Specification, 130 fee (no small entity discount)

Other: DEFICIENCY PAYMENT UNDER 37 C.F.R. 1.28(C)

Fee Paid (\$)

335.00

SUBMITTED BY

| | | | |
|-------------------|--------------------|--|------------------------|
| Signature | | Registration No. (Attorney/Agent) 47429 | Telephone 703.905.2141 |
| Name (Print/Type) | Bradford C. Blaise | | Date February 8, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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